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WILMINGTON, N. C., THURSDAY, MARCH 4, 1897.

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THE LEGISLATURE.

ACT TO AMEND WILMINGTON'S CHARTER BECOMES A LAW.

The Bills Amending the Charters of Fayetteville and Charlotte Defeated—The Penitentiary Reorganization Bill Passes in the Senate—The Lie Given in the Senate—Report on Frauds in the Senatorial Election—Senator Grant Caught in Trying to Sneak a Bill Through.

(Special to The Messenger.)

SENATE.

Bills were introduced in the senate as follows:

To incorporate the Underwriters of Goldsboro (passed its readings under suspension of the rules).

By Senator Atwater, to incorporate the Atlantic Development Company (rules suspended and passed readings).

By Senator Patterson, to incorporate Red Springs seminary.

By Senator Cannon, to prevent livestock from running at large on Wrightsville Beach (rules suspended and passed readings).

By Senator Grant, to amend the charter of Goldsboro.

By Senator Smithers, to regulate rate of interest in counties west of the Blue Ridge; also to protect real estate under mortgage or deed of trust.

The bill was taken up to amend the charter of the city of Wilmington.

Senator Justice demanded the roll call which was sustained and the bill passed its third reading—ayes, 24; noes, 18.

Bills passed as follows:

To repair certain stock law fences in Robeson county.

To amend the charter of Elizabeth City.

To provide for working public roads in Nash county.

To incorporate Winterville, in Pitt county.

To allow Sampson county to borrow money, issue bonds and levy a special tax.

To incorporate Harnett Central railway.

Amending the charter of the chamber of commerce of Wilmington.

To change the time for holding courts in the Seventh judicial district.

To incorporate the Mutual Aid Banking Company.

To allow the clerk of the superior court of Bladen county to be absent from office on Mondays.

The bill was taken up to amend the charter of Fayetteville, by providing for a police commission.

Senator Maulsby moved to table the bill; the motion prevailed and the "clinch" was added.

The bill to establish a colored state normal school carrying an appropriation of \$5,000 passed.

AFTERNOON SESSION.

The senate reassembled at 2 o'clock and bills were disposed of as follows: Granting additional cause for divorce; and to provide for divorce in certain cases where the female is under 18 years of age—both tabled.

The penitentiary bill was taken up. It takes control of the penitentiary out of the hands of the present officers and gives the governor power to appoint nine directors and to name the chief officer by consent of the senate and to name the wardens etc., by consent of the directors.

Senator Person moved to pass the bill over indefinitely.

Senator McCaskey opposed postponing the matter, saying it should be settled at once.

Senator Grant said to defer the matter affected the inmates of the penitentiary and the integrity of the governor. If it is the purpose to take charge of the prison there is no better time than now to settle it; if there is any republican or populist here who opposes it let us put him on record as being against the wishes of co-operation.

Senator Whedbee opposed consideration of the bill, saying it gave the governor extraordinary power, such as no one man in North Carolina should be vested with. When he (Whedbee) came here it was not his intention to be driven by "gag law" nor was he going to submit to be ruled as by a "czar." There has been too much infernal cowardice shown here in this legislature by trying to give one man all the power. This bill gives Governor Russell power to appoint whoever he desired to rule this institution. Senator Whedbee said he was perfectly willing and glad to go on record as opposing such a measure. Let the people have a voice in the matter and say who shall govern the penitentiary and not Governor Russell.

Senator Moyer rose to ask a question. Before he could do so Senator Whedbee asked him what he wanted as his part—a postoffice? If so, Governor Russell could not give him that.

Senator Person said as for the remarks of Senator Grant, he desired to say to him that he was glad to go on record as being opposed to the bill placing the government of the penitentiary in the governor's hands. He called the previous question on his motion to indefinitely postpone, which was lost—ayes, 8; noes, 34.

Senator McCaskey called the previous question on the original bill, which was ordered and the bill passed its second reading—ayes, 28; noes, 14. It was

placed on its third reading and passed. The bill to appoint a cotton seed weaver for Goldsboro was tabled.

The bill to prevent fishing with wire nets in Cape Fear river below Wilmington passed.

The bill to appoint a police justice for the city of Asheville caused trouble.

Senator Ray opposed it, saying there was no need for such an office. It was only a mean political trick. Republicans are not like the democrats, who wait for a vacancy to occur, but go ahead and create unnecessary offices to feed the hungry "pie hunters." They call this reform. They go before the people and tell them they are in favor of local self government and turn right around and elect by the legislature magistrates to serve for six years. They elect county commissioners by the people and tie their hands. He declared the democratic system of county government reflected credit and glory on the name of North Carolina and put the financial credit of the state up to the highest notch. You are afraid to let the people have the right to say who shall govern them.

Senator Smithers said Senator Ray was always meddling in things that did not concern him; that he had nothing to do with many of the matters he fought.

Senator Ray said the statements of Smithers were not true and he knew they were not when he made them.

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Thereupon Senator Smithers gave the lie to Ray.

Senator Anthony said he hardly indorsed all Senator Ray had said.

Senator Ray rose to a question of personal privilege and replied to Senator Smithers saying: "I have this to say; that any man who would take advantage of me on this floor (the gallery was full of ladies) as he (Smithers) has done, is a coward and guilty of a cowardly trick."

Senator Smithers said he had not said any harder things about Senator Ray than the latter had said about him, but he was willing to leave it to the committee to say who should apologize and as for being a coward that could be settled outside.

The question recurring on the passage of the bill, Senator Ray demanded the roll call, which was sustained and the bill passed—ayes, 25; noes, 19.

Senator Moyer said he thought it was due Senator Ray and the senate that Senator Smithers should apologize and he did not think the senate should adjourn until he did.

Senator McCaskey said he thought they should both apologize.

Senator Abell thought the matter should go over until tomorrow and the senate took a recess until 8 o'clock.

NIGHT SESSION.

Senator Ramsey, of Rowan, introduced a bill to amend the charter of Charlotte and to provide for the just distribution of the police force and other offices among the parties.

Senator Grant sent forward the report from the special committee on election laws. The report was a bill to amend the election law introduced by Senator Grant, but there was no report from the committee on the bill.

Senator Scales objected to the bill being received and moved that it be re-committed to the committee to make a report.

Senator Mitchell demanded the roll call which was sustained, and Senator Scales' motion was lost—ayes, 22; noes, 25, the populists bolters voting with the republicans.

Senator Scales made a statement in regard to the bill, saying he was one of the committee and attended the meetings and the bill was ordered to be reported unfavorably by a vote of 5 to 4 and he thought the report would be made to appear on the bill, but it did not appear. He had since learned that the republican caucus with the bolters had decided in favor of the bill and that is the reason it "boos up" severely. He did not know by what authority Senator Grant reported the bill favorably and would like to ask the senator why it was.

Senator Grant said the caucus passed on it favorably.

Senator Scales—Do you not know that the committee voted to report the bill unfavorably?

Senator Grant—I do not remember.

Senator Scales—Did you not know the vote stood 5 to 4 and that you were ordered to report unfavorably?

After pinning Senator Grant to the wall the latter had to admit that that was the decision of the committee.

Senator Scales then said: "I want the report to speak the truth, so I may move to change it from favorable to unfavorable."

This was ordered to be done.

Senator Atwater stated he was a member of the committee and he attended the meeting; that the statement of Senator Scales was true in all details.

Senator Scales made it altogether too warm for Senator Grant. The latter quivered and twisted. It was warmer for him than it has been this session.

Senator Maulsby moved to reconsider the vote by which the senate refused to recommit it back to the committee and to recommit the same. He said the measure was too radical to pass. He

did not want to give the democrats such a good chance for political capital. It was a bill that would not suit the people.

Senator Odum moved to table the motion, which the senate refused to do and Senator Maulsby's motion was carried and the bill was recommitted.

The co-operationists were hot and did not know how to get out.

HOUSE OF REPRESENTATIVES.

No bills were introduced today and only one report was made by committee, this being (without prejudice) to appoint E. S. Simmons, a blind democrat, justice of the peace.

The North Carolina railway lease bill was made a special order for next Friday at noon.

Bills passed as follows:

To allow Craven county to levy a special tax.

To allow Raleigh township school committee to issue \$50,000 of bonds for school houses.

To appropriate \$23,000 for new building and other improvements at the colored deaf mute and blind institution here, \$11,500 for each of the years 1897-8. This vote was unanimous on the passage of this bill.

The bill to increase the annual appropriation to the state guard to \$12,000 came up with favorable report and was referred to the finance committee.

The bill to appropriate \$10,000 for each of years 1897-8 for the deaf mute school at Morganton passed after some debate. Mr. Dixon, of Cleveland, making the statement that the strongest argument the democrats met during the late campaign was the republican-populist liberalism in 1895 in making appropriations to institutions, and that he hoped the fine record would not be broken.

Bills passed to allow a colored physician to be employed at the colored institution for deaf mutes and blind here and to establish graded schools at Washington.

Mr. Schulken, chairman of the special committee to investigate the charges of fraud and bribery in the election of United States senator made a long report. It contained the examination of many witnesses sworn and examined by committee. Some of the evidence caused a laugh, particularly that part in which Senator D. Reid Harker said he had discovered that he had peculiar fitness for the position of commissioner of agriculture. Y. C. Morton's statement was that D. M. Morrison, chairman of the republican committee of Richmond county had told him he could have a \$4,000 revenue place at Washington if he voted for and used his influence for Pritchard. Senator Utley said that in a boarding house here the populist bolters who were in conference said there were 200 good places to be given out to friends of Pritchard and that he recognized the voice of Representative Parker, of Perquimans, as prominent in this talk. Morrison denied all Morton's assertions. Parker denied the statements of Utley.

Mr. Dockery brought up his bill to prevent the use of "fillers" or worthless substances in fertilizers. Its text is as follows:

"Whenever any commercial fertilizer or fertilizing material shall be analyzed as required by law and such analysis shall show the presence in such fertilizers of hair, hoofmeal, horn, leather scraps, marl or other deleterious materials known as fillers, publication shall be made in the monthly bulletin by the department of agriculture, showing the result of such analysis and calling the attention of the public to the presence in such fertilizers of such substances and the same shall be seized and condemned as provided by law in other cases."

Mr. Dockery offered the following amendment:

Strike out the words "marl or other deleterious materials known as fillers" and substitute "Or other substances non-available for plants, but which contain ingredients that go to make up required or guaranteed analysis."

The amendment was adopted and the bill passed.

The special order was taken up, being the bill to provide a police commission for Charlotte.

Mr. Walters, of Rockingham, demanded the reading of the bill in full.

There was half an hour's debate. Mr. Hancock speaking in support of the bill and Mr. Freeman, republican, against it.

Mr. Craven, populist of Mecklenburg, opposed it and Mr. Clanton, of Mecklenburg, republican, favored it.

There was intense interest in the vote on the second reading which was—ayes, 47; noes, 60. There was loud applause at this failure of the bill to pass, and the "clinch" was put on it, so it can come up no more this session.

Three hours were then devoted to the contested election case of N. B. Broughton against James H. Young from Wake.

Mr. Cook, republican, spoke in support of the majority report, which favored Young, while Mr. Duffy championed Mr. Broughton, as did also Mr. Cunningham. The majority report, seating Young, was adopted—62 to 35.

NIGHT SESSION.

The revenue act passed its second reading. Announcement was made that any amendments could be offered on the third reading. Eleven votes were cast against the act.

Mr. Lyle submitted the "omnibus" liquor bill in behalf of the committee. It covers about 300 churches.

The bill passed its second reading to revise and consolidate the charter of Wilson—76 to 24.

The bill passed to forbid the Jamesville and Washington railway to sell to any other company its right of way in the town of Washington and requiring it within six months to take up its track in that town.

The bill passed to place Gaston and Cleveland counties in the Seventh congressional district and Yadkin and Davie in the Eighth congressional district. Its purpose is to make the Eighth district republican positively and knocks out Shuford in the Seventh district and makes it democratic.

The joint resolution to raise a committee to investigate Mrs. Pattie D. B. Arrington's complaint was tabled unanimously.

Mr. Johnson introduced the machinery act and under suspension of the rules it passed its second reading—54 to 25.

Mr. Hancock called up the bill (a substitute bill) providing for taking all insane asylums from democrats. It is the bill agreed on by the caucus of republicans and bolters. One of the provisions of the bill declares the trustees not to be officers under the meaning of the constitution, but declares them "special trustees."

Mr. Dixon, of Cleveland, wanted the matter settled once for all whether Mr. Blackburn was or was not a member of the committee on insane asylums. He said the record did not so show. He said the bill came before the house with a favorable report and this was not true, unless Blackburn was a member of the committee. He had never heard of such a thing. He said Blackburn was before the committee and voted to make the report a lie.

Mr. Parker said the report was a fraud.

Mr. Sutton, of Cumberland, called the previous question. A division was called. The speaker announced that 65 voted in the affirmative and did not put the negative side.

On the second reading of the bill Mr. Johnson demanded the yeas and nays. The vote was—yeas, 61; nays, 41.

The speaker never answered the question whether Blackburn was on the committee.

Mr. Duffy, explaining his vote, said the bill was simply a grab of the asylums; that it was unprecedented; that democrats had never taken such steps.

Mr. Johnson said that in the committee room that he and others were denied the liberty of looking into the merits of the bill, but were gagged by persons not members of the committee; that the same influence had used the same power here tonight and the report on the bill was a fraud on its face.

Mr. Parker, of Wayne, said the majority should change its name from party of patriots to party of plunderers.

The bill passed its third reading, the democrats voting nay. On motion of Mr. Hancock the clinkers were put on.

SENATE.

Raleigh, N. C., February 27.—Among the bills coming over to the senate from the house today was one to amend the charter of Wilmington, which, on motion of Senator Cannon, was placed on the calendar, but as several members opposed its being placed on the calendar and desired it to be referred to the committee, the opposition to the immediate passage showed such strength that the promoters of the bill referred to the committee on corporations.

Bills and resolutions were introduced as follows:

By Senator Person, to incorporate the normal and industrial school at Kinston.

By Senator Grant, to authorize an election in Duplin county on the removal of the court house.

By Senator Yeager, to extend the corporate limits of Benson, in Johnston county.

By Senator Mitchell, to regulate the pay of mechanics, laborers and other hired help.

By Senator Scales, to change the name of the Normal and Industrial school to the Normal and Industrial college.

By Senator Alexander, to establish a normal school for the colored race near Charlotte.

By Senator Barker, to prohibit persons from building dams to injure other persons by back water.

The bill passed to allow Chowan Baptist college to confer degrees.

The bill to amend the charter of Edenton was tabled.

The special order set for today was taken up, being the bill to prohibit the use of free passes by public officers.

Senator Ray offered an amendment that all railroads in the state furnish free passes to all state officers during their term of office and to make passenger rates 2 cents for first class and 1½ cent for second class; lost—ayes, 19; noes, 22. The question recurring on the original bill, the roll call was demanded and the bill failed to pass—ayes, 22; noes, 22. The president voted "No," breaking the tie.

At 2:20 o'clock the senate took a recess until 3:30 o'clock. At the afternoon session the following bills were disposed of:

To extend the time to organize the Columbus Drainage Company.

To change the name of the Normal and Industrial school to "college."

To create a board of finance for New Hanover county.

To incorporate the Lumber River Railroad Company.

To allow graduates of Asheville normal collegiate institute to teach in schools of the state without standing examination.

To regulate the sale of liquor in Cumberland and to establish a dispensary.

To hold elections in Craven. To submit to vote the building if bridges over Neuse and Trent rivers.

To allow Perquimans to issue bonds and levy special tax.

To give Lumberton the right to issue bonds.

To enable Cumberland county to pay its debts by issue of bonds.

To allow Onslow county to use its special tax for general county purposes.

To amend section 1831 of The Code by adding after the word "lunatic" the words "or confined in the hospital for insane."

In relation to pay if clerks and employees of the general assembly, providing that the Auditor can demand a certificate to show they have done the work for which they want pay.

HOUSE OF REPRESENTATIVES.

The following bills and resolutions were introduced:

By Mr. Crumpler, a resolution to adjourn sine die March 6th.

By Mr. Carter, to allow the stock law district in Nash to have tax levy.

By Mr. Cunningham, to regulate fire insurance companies by allowing the secretary of state to investigate rates and prevent discrimination.

By Mr. Lusk, to make the salary of the attorney general's clerk \$900.

By Mr. Ward, to amend the charter of Warsaw.

By Mr. Person, to allow Wilson county to issue bonds.

To incorporate Wake County Live Stock and Poultry Association, giving it the right to have cock fights at any place in Wake county, this being done by a provision in the bill which suspends the provisions of the chapter of The Code which forbids cruelty to animals. This bill was drawn by a Raleigh magistrate.

By Mr. Chilcutt, to repeal the special tax on practicing physicians.

By Mr. Chilcutt, to allow the state medical board to grant license to physicians who have practiced ten years.

The calendar was taken up and bills passed as follows:

To make it discretionary with the state treasurer as to making state deposits in certain banks.

To require all bankers and officers and directors of railways and state banks or other corporations created or chartered by the legislature to take an official oath.

To make the stockholders of every bank chartered by the state individually liable and responsible, equally and ratably and not one for another for all contracts, debts and agreements of such association to the extent of the amount of their stock there in at par value thereof in addition to the amount invested in such share, and all exemptions in any bank chartered are repealed, and to forbid any bank from lending any one person over one tenth of its capital.

By leave Mr. Murphy, by request, introduced a bill to amend the insurance laws by providing that no fire insurance company shall do any business in the state unless it has at least \$100,000 of actual cash capital paid up or assets invested in bonds or stocks or in mortgages worth double the amount for which mortgaged, and all fire companies shall deposit with the state treasurer \$25,000 of bonds which are not of actual cash value, and in case of the pendency of said loss and the amount claimed and if there is not a prompt settlement, may ask for a receiver to take charge of enough bonds to satisfy the judgment.

By request, introduced a bill to regulate the payment of wages to employees of manufacturing corporations which carry on stores in connection with their business. It requires such corporations to have stores and makes it unlawful for any such corporation to pay any laborer or employee in any order for goods on any store, the violation of the provisions of the act to be punishable by fine of \$100.

The bill to provide a dispensary for Asheville upon a vote of the people of Buncombe, was passed—76 to 23—after a long and warm debate. The report of the majority of the committee was unfavorable.

The supplemental Halifax county fence law bill came up as a special order. It provides that the act letting stock go at large shall not go into effect until January 1, 1899.

Mr. Hancock moved to indefinitely postpone, which meant the bill could come up no more this session.

Mr. McKenzie demanded the yeas and nays and Messrs. Hancock and Sutton, of New Hanover stirred like bees through the hall. The vote on the motion to indefinitely postpone was—ayes, 49; noes, 54.

Mr. Brown said Senator Clark had come to him yesterday and said he wanted the supplementary bill passed.

Mr. Hancock said senator Clark had just told him he wanted the supplementary bill killed.

Mr. McCrary said senator Clark wanted the bill passed.

At this point Senator Clark entered the hall with Mr. Hancock and the latter said: "Here is Senator Clark himself."

McCrary said: "I don't care if he is, I repeat he told me he wanted the supplementary bill passed."

Mr. Sutton, of Cumberland, said the matter was an issue in politics in Halifax.

Mr. Sutton, of New Hanover, said Senator Clark had asked him to kill the substitute.

Mr. Hancock, after much filibustering, moved to table the bill.

Mr. McClelland demanded the yeas and nays and the vote was—yeas, 53; nays, 51.

The house took a recess from 2:30 o'clock to 4.

AFTERNOON SESSION.

In the afternoon session bills passed to forbid fire insurance companies not incorporated under the laws of this state to write policies in North Carolina save through regularly appointed and licensed agents.

The bill was tabled to regulate assignments. This was McCrary's bill several times discussed.

On motion of Mr. Blackburn the Charlotte police commission bill was made a special order for Tuesday at noon.

The bill to provide for court stenographers was tabled.

The bill passed to protect fish in Trent river by forbidding traps and pound nets; also to provide that the oyster law shall not apply to Onslow and Pender counties. This refers to the law ratified February 23d.

SENATE.

Raleigh, N. C., March 1.—Bills and



Celebrated for its great leavening strength and healthfulness. Assures the food against all forms of adulteration common to the cheap brands. Royal Baking Powder Co., New York.

Resolutions were introduced as follows:

By Senator Person, to appoint additional cotton weavers for Edgecombe.

By Senator McCaskey, to amend chapter 368, laws of 1895, by adding after the word "both" in the last line of section 1 of said chapter, "providing nothing in this act shall prevent the building of fences across said creek or run."

By Senator Yeager, to abolish "lay days" in Roanoke river.

By Senator Sharpe, of Wilson, to regulate the sale of pistols and cartridges.

To amend the charter of Lumberton. The following bill passed:

To allow Cumberland to fund its debt.

To amend the charter of Mt. Airy.

To provide for working the public roads of Nash.

To incorporate the New Bern Mutual Fire Insurance Company.

To amend chapter 318, laws of 1893, private laws, by striking out "Wilmington, Del." and insert "North Carolina."

To incorporate the Chatham Traction Company.

To amend the charter of Dennis-Simmons Lumber Company.

To incorporate the Commonwealth Insurance Company, of Wilmington.

To incorporate the trustees of St. Mary's school, of Raleigh.

To repair stock law fences in Robeson.

To provide for working the public roads of Wilson.

To amend the charter of Whiteville.

To prevent persons from fishing in private ponds without permission from the owner.

To aid in the construction of the Winston-Salem Southbound railroad.

The bill to amend the charter of Elizabeth City passed its second reading.